

THE POSITION AND AUTHORITY OF THE INFORMATION COMMISSION INSTITUTIONS IN THE STATE ORDER ON THE SETTLEMENT OF PUBLIC INFORMATION DISPUTES AND THE RESULTING JUDGMENTS

Azis Suganda¹, Helme² Sitompul³, Khoerudin⁴, Nurman Samad⁵, Wahyu Setiawan⁶

Email: azissuganda15031998@gmail.com, helmesmary5@gmail.com, khoerudins@gmail.com, nurman.samad@gmail.com, wahyusetiawan1981@gmail.com

Student of Law Magister of Pamulang University. South Tangerang City, Indonesia

ABSTRACT

The Public Information Commission is one of the institutions appointed by the state in terms of resolving information disputes that occur in people's lives. Which all matters relating to the information commission institution have been explained in Law Number 14 of 2008 concerning Public Information Disclosure. The purpose of this study is to find out the position and authority of the Information Commission in resolving information disputes and how decisions are made based on Law Number 14 of 2008 concerning Public Information Disclosure. While the research method uses the type and research approach used is normative juridical with the nature of descriptive research, which uses data on Islamic law and secondary data. Then, the data is processed using qualitative analysis. Based on the research, it can be seen that the Information Commission is an independent institution that is ad hoc in nature, which means that it can be disbanded at any time if it is deemed unnecessary by the state. The position and authority, as well as the settlement process and the results of decisions made by the Information Commission have been explained in Law Number 14 of 2008. Which mediation and adjudication are decisions given at the end of an information dispute case where the decision is final and binding.

Keywords: Information Commission; Public Information; Dispute resolution

ABSTRAK

Komisi Informasi Publik adalah salah satu Lembaga yang ditunjuk oleh negara dalam hal penyelesaian sengketa informasi yang terjadi di dalam kehidupan masyarakat. Yang mana semua hal yang berhubungan dengan Lembaga komisi informasi sudah dijelaskan dalam Undang-Undang Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik. Adapun tujuan dari penelitian ini yaitu untuk mengetahui kedudukan dan wewenang Komisi Informasi dalam penyelesaian sengketa informasi serta bagaimana putusan yang dihasilkan berdasarkan Undang-Undang Nomor 14 Tahun 2008 Tentang Keterbukaan Informasi Publik. Sedangkan metode penelitian menggunakan jenis dan pendekatan penelitian yang digunakan adalah yuridis normatif dengan sifat penelitian deskriptif, yang menggunakan data hukum islam dan data sekunder. Kemudian, data diolah dengan menggunakan analisis kualitatif. Berdasarkan penelitian dapat diketahui bahwa Komisi Informasi adalah suatu Lembaga independent yang bersifat adhoc, yang artinya kapan saja bisa dibubarkan jika dirasa sudah tidak diperlukan oleh negara. Kedudukan dan wewenang, serta proses penyelesaian dan hasil keputusan yang dibuat oleh Komisi Informasi sudah dijelaskan pada UU Nomor 14 Tahun 2008. Yang mana mediasi dan adjudikasi adalah putusan yang diberikan pada akhir kasus suatu sengketa informasi yang mana putusan tersebut bersifat final dan mengikat.

Kata Kunci : Komisi Informasi; Informasi Publik ; Penyelesaian Sengketa

1. BACKGROUND OF RESEARCH

Information is one of the main needs of every person for self-development and a social living environment; it is also important for national security. Information openness can be interpreted as a condition that allows the mass communication sector to touch almost all areas of people's lives. The state must be more transparent to its citizens, where it has regulated the people's right to know and obtain information in accordance with statutory regulations.

Based on Article 28 F of the 1945 Constitution, which explains that everyone has the right to communicate and obtain information to develop their personality and social environment, including the right to seek, obtain, possess, and store information using all types of available channels, Therefore, the KIP Law was born, which gave a new life to the public's ability to obtain information easily, quickly, and simply.

;In law number 27 of 2022, article 1 paragraph 3 explains that information is information, statements, ideas, and signs that contain values, meanings, and messages that can be seen, heard, and read and that are presented in various packages and formats in accordance with the development of information and communication technology, electronically or non-electronically. Information is a basic need for everyone's personal development and social environment and is an important part of national security. Meanwhile, according to Law Number 14 of 2008, Article 1 Paragraph 2, "public information" is information that is generated, stored, managed, sent, and/or received by a public body and is related to the organizers and administration of other public bodies in accordance with the law. this and other information relating to the public interest.

Public bodies are executive, legislative, and judicial institutions and other bodies whose main functions and duties are related to the administration of the state, for which some or all of the funds come from the APBN and/or APBD, public donations, or foreign assistance. The purposes for which the agency was formed include:

1. Guarantee the rights of citizens to know the plans for making public policies, public policy programs, and the process of making public decisions, as well as the reasons for making a public decision.
2. encouraging public participation in the public policy-making process
3. Increasing the active role of the community in making public policies and good management of public agencies

4. Realizing good state administration that is transparent, effective, efficient, and accountable.
5. Knowing the reasons for public policies that affect the lives of many people
6. Developing science and educating the nation's youth; and/or improving information management and service within the public sector to produce quality information services.

In a democracy, there must be freedom and openness in obtaining public information. In its development, openness or transparency has become one of the principles or pillars of a democratic state for the realization of social control. This social control can be implemented if the public is given open access to obtain information related to the implementation of public policies.

Democracy stands on the assumption that the people are sovereign in a country. Theoretically, democracy gets justification based on the theory of social agreements forming state organizations for the benefit of all the people (*res publica*). From a legal standpoint, the agreement is manifested in the form of a constitution as the highest law that gets authority from constituent power, namely the people themselves. The state is obliged to fulfill the right to information for its people.

Good governance requires an open government as one of its foundations, and freedom to obtain information (public access to information) is one of the prerequisites for creating an open government. Open government is the administration of government that is transparent, open, and participatory. The more open the administration of the state is to public scrutiny, the more accountable the administration of the state will be.

The law on the Public Information Commission is expected to become a legal guarantee and encourage the realization of information disclosure in the implementation of state sovereignty. In addition, the implementation of the law on the public information commission is expected to encourage efforts to realize good governance, public services, and strengthen community participation in every area of national development, which, in conclusion, means the constitution must guarantee and protect human rights in terms of access to information.

In Law Number 14 of 2008 concerning Public Information Disclosure, in Article 1 Paragraph 4, it is explained that the Information Commission is an independent institution whose function is to carry out this Law and its implementing regulations, establish standard technical guidelines for public information services, and resolve public information disputes

through mediation and/or non-litigation adjudication. The Central Information Commission (CIC) is an independent agency created by the government for the purpose of dealing with all legal issues related to information. In addition to having duties, the information commission also has types of information, which means that not all information can be provided because there is some exempt information listed in Article 17 of the Public Information Commission law, which means that every time there is a claim from the applicant regarding information that the public information commission excludes, the claim must first be considered and identified by the information submitted by the applicant.

Several decisions were made by the public information commission regarding exempted information lawsuits, which originally had been granted by the applicant KIP but were canceled in the State Administrative Court, where the information submitted was classified information.

2. FOCUS OF THE PROBLEM

Based on the background of the problem above, the formulation of the problem is as follows:

1. What is the position and authority of the information commission as a public information dispute resolution institution within the state structure?
2. What is the process for resolving information disputes by the Public Information Commission?
3. What is the decision made by the Public Information Commission?

3. PURPOSE OF RESEARCH

The purpose of writing this journal is to find out the position of the information commission as a public information dispute resolution institution and the position of legal products in the form of information commission decisions in information dispute resolution.

4. METHOD OF RESEARCH

According to Soerjono Soekanto quoted by H. Zainuddin Ali, an activity which is based on certain methods, systematics, and thoughts aims to study something and legal phenomena by means of analysis called legal research. Research is a principal tool in the development of science and technology. This can be concluded because the research aims to reveal the truth systematically, methodologically, and consistently. So that through the research process an

analysis and construction of the data that has been collected and processed is carried out. The function of research is to find the truth. Truth in this case is not religious and metaphysical truth, but from an epistemological perspective, meaning that truth must be seen from epistemology. This type of research is normative juridical research. Normative legal research is legal research conducted by examining literature or secondary data. Normative legal research is also called doctrinal legal research.

5. FINDING & DISCUSSIONS

a. History of the Public Information Disclosure Act

Entering the 1998 reformation era has increasingly raised awareness for the right to obtain information and the right to open access to information from various groups. Exclusively, transparency of access to public information is needed by those involved in environmental aspects, anti-corruption activities, human rights, and the press which often has difficulty accessing various information from government agencies, citing state secrets. Even so, the right to obtain public information has been regulated in several laws and regulations that can guarantee the public's right to obtain information in an effort to participate in formulating public policies and exercise control over public agencies or government bureaucracy.

After the reform era, there were many laws that were made to include the right to obtain public information for the community in several articles. Among others, namely in Articles 14 and 90 in Law Number 39 of 1999 concerning Human Rights, in Articles 4 and 17 of Law Number 40 of 1999 concerning the Press, in Articles 3, 4 and 7 in Law Number 8 of 1999 regarding Consumer Protection. Then in Articles 3, 5 and 9 in Law Number 28 of 1999 concerning the Administration of a State that is clean and free of corruption, collusion and nepotism, then in Article 41 of Law Number 31 of 1999 concerning Eradication of criminal acts of corruption, and still much more.

However, Information Disclosure for the public has been stated in several regulations passed before the reform era, such as Article 5 paragraph (2) in Law Number 23 of 1997 concerning Environmental Management which states that "everyone has the right to environmental information. relating to the role in environmental management". And in article 4 paragraph (2) point a in Law Number 24 of 1992 concerning Spatial Planning which states that: "Everyone has the right to know the spatial plan".

Over time, arrangements regarding freedom in obtaining public information are regulated separately in Law no. 14 of 2008 concerning Openness of Public Information (hereinafter abbreviated as UU KIP) was officially ratified on April 30, 2008. Historically, this law was the brainchild of a group of NGOs that are members of the Civil Society Coalition for Freedom to Obtain Public Information (KMIP). In 2000, KMIP, which was spearheaded by the National Law Commission and several well-known NGOs such as the Indonesian Center for Environmental Law (ICEL), the Indonesian Journalistic Alliance (AJI), the National Law Reform Consortium (KRHN), and others, began discussing the KMIP Bill against DPR, and in March 2002 the DPR approved the KMIP Bill as one of the initiative suggestion bills.

The existence of Law Number 14 of 2008 concerning Public Information Disclosure provides a solution in terms of the implementation of state and government administration. With the implementation of public information disclosure in a state or government administration, it is a form of good governance, guaranteeing legal certainty to citizens' rights to obtain the information needed and being able to participate in supervising the administration of the state and government.

b. Duties, Functions and Structure of the Information Commission

a. The duties of the Information Commission

The Information Commission is an independent institution whose function is to implement this Law and its implementing regulations, establish standard technical guidelines for public information services and resolve public information disputes through mediation and/or non-litigation adjudication. The information commission has the tasks described in article 26 paragraph (1) in which the information commission is tasked with, among others:

1. receive, examine, and decide on requests for settlement of Public Information Disputes through Mediation and/or non-litigation Adjudication submitted by each Public Information Applicant based on the reasons referred to in this Law;
2. determine the general policy of Public Information services; and
3. stipulate implementation guidelines and technical instructions.

Then the second, the Central Information Commission has a task, still in article 26, namely:

1. determine the procedure for implementing dispute resolution through Mediation and/or non-litigation Adjudication;

2. receive, examine, and decide on Public Information Disputes in the region as long as the provincial Information Commission and/or district/kola Information Commission has not been established; and
3. submit a report on the implementation of their duties under this Law to the President and the People's Legislative Assembly of the Republic of Indonesia once a year or at any time if requested.

And the third, namely the provincial Information Commission and/or district/city Information Commission is tasked with receiving, examining, and deciding Public Information Disputes in the regions through Mediation and/or non-litigation Adjudication.

Meanwhile, if distinguished based on the nature of the duties of the Information Commission, the attitude can be distinguished, namely:

1. Duties of adjudicating: Receiving, examining, and deciding requests for resolution of public information disputes.
2. Regulatory duties: Establish general policies as well as operational guidelines and operational guidelines for public information services. Because it is regulative in nature, the form of policy stipulation is the Information Commission Regulation (*regeling*).
3. Accountability duties: provide a report on the implementation of tasks to the President and the DPR at least once a year or at any time if requested. The Information Commission report is open to the public. The Information Commission is obliged to announce information services in the form of the number of applications, the time required, the number received and rejected, as well as the reasons for the rejection.

b. Functions of the Information Commission

Based on the explanation of the meaning and duties of the information commission above, two main functions can be drawn to be carried out by the Information Commission, namely:

1. Implement the Public Information Commission Act and its implementing regulations. Government regulations mandated by the Public Information Commission Law only concern procedures for payment of compensation by public bodies (Article 61) and the period of exception for information retention or retention period (Article 19 paragraph 2).

2. Establish standard technical guidelines for public information services. In this case, the operational guidelines and technical guidelines that are explicitly mandated by the Law on the Public Information Commission to be made, among others, regarding procedures for requesting information from public bodies (Article 22 paragraph 9); general policy on information services (Article 26 paragraph 1 letter b); the obligation of Public Bodies to periodically provide and submit public information (Article 19 paragraph 6); and procedures for implementing the Public Agency's obligation to provide public information that can be accessed by information users.

c. Composition of the Information Commission

In the Information Commission law Number 14 of 2008, in article 25 it is explained that the composition of the Information Commission is as follows:

1. There are 7 (seven) members of the Central Information Commission who represent government and community elements.
2. There are 5 (five) members of the provincial Information Commission and/or district/city Information Commission who represent government and community elements.
3. The Information Committee is led by a chairperson who is also a member and accompanied by a deputy chairperson who is also a member.
4. The chairman and deputy chairman are elected from and by the members of the Information Commission.
5. The election as referred to in paragraph (4) is carried out by deliberation of all members of the Information Commission and if no agreement is reached a vote will be taken.
6. Provincial Information Commissions and/or district/city Information Commissions are tasked with receiving, examining and deciding Public Information Disputes in the regions through Mediation and/or non-litigation Adjudication.

c. Position of the Public Information Commission

Basically, the constitution or constitution of a country, among other things, is the registration (registration) of the division of powers within a country. The division of power according to function shows the difference between the functions of government which are legislative, executive and judicial which are better known as the Trias Politica.

Trias Politica is the notion that state power consists of three kinds of power: First, legislative power or the power to make laws (in new terms it is often called (rule making

function); second, executive power or power to implement laws (rule application function); third judicial power or the power to adjudicate on violations of the law (rule adjudication function). Trias politica is a normative principle that these powers (function) should not be handed over to the same person to prevent abuse of power by those in power. citizens' human rights are guaranteed.

The concept of state organs and state institutions has a very broad meaning, so it cannot be narrowed down to only the three branches of legislative, executive and judicial powers, according to Jimly Asshidiqqie,. Meanwhile, according to him, the concept/definition of state organs and state institutions are: First, in the broadest sense, the first sense, the broadest state organs include every individual who performs law-creating and law-applying functions, Second (second sense), state organs in a broad sense but narrower than the first sense, which includes individuals who carry out law-creating or law-applying functions and also have positions as or in the structure of state offices or government positions; Third, state organs in a narrower sense, namely bodies or organizations that carry out law-creating and/or law-applying functions within the framework of the structure and system of the state or government.

In this sense, state institutions include the notion of state institutions formed based on the Constitution, Laws, Presidential Regulations or by decisions of a lower level, either at the central level or at the regional level. Fourth, in the fourth, more narrow sense, the organs or state institutions are only limited to the meaning of state institutions formed based on the Constitution, laws, or by lower regulations. Fifth, in addition to the four meanings above, to give specificity to state institutions at the central level whose formation is regulated and determined by the 1945 Constitution, namely the Presidential institution (president and vice president), MPR, DPR, DPD, MA, The Constitutional Court and BPK can also be called separate state institutions, because of their high position, if these constitutional institutions are to be called high state institutions it can also be accepted. All constitutional institutions are considered equal and are only distinguished by differences in their respective functions and authorities. It is these seven high state institutions that can be associated with the notion of the main state apparatus (main organs).

In performance and administering the State there are also other institutions, namely non-structural institutions as a manifestation of community participation in government. Non-structural institutions are institutions outside the organizational structure of

government agencies, which are independent and have autonomy in carrying out their mandate in accordance with applicable laws and regulations. There are also regional institutions which are regulated in Chapter VI of the 1945 Constitution on Regional Government. This provision stipulates the existence of several regional organs or regional institutions which are state institutions in the regions. These regional institutions are:

1. Provincial Government (consisting of the Governor and Deputy Governor and Provincial DPRD).
2. Regency Regional Government (consisting of the Regent and Deputy Regent and the Regency DPRD).
3. City Regional Government (consisting of the Mayor and Deputy Mayor and City DPRD).

The position in the constitutional system is an institution that has a line up or down and/or is referred to in Law as a Hierarchy. The Public Information Commission in the 14 Years Old Law. In terms of the position of the Information Commission, according to article 24, it is divided into three, namely:

1. The Information Commission consists of the Central Information Commission, the provincial Information Commission, and if necessary the district/city Information Commission.
2. The Central Information Commission is domiciled in the national capital.
3. The provincial Information Commission is domiciled in the provincial capital and the district/city Information Commission is domiciled in the district/city capital.

So in the constitutional system in Indonesia it has been regulated in the 1945 Constitution, based on laws, government and/or presidential regulations, and also based on ministerial regulations. The 1945 Constitution of the Republic of Indonesia regulates the System of Power for State Institutions, the first being the system of Legislative Power (MPR, DPD, DPR), Executive Power (President and Vice President), and Judicial Power (MA and MK). However, in several studies there are those who add some of the powers of State Institutions to the power system of State Institutions, namely, the Examinative Authority (BPK), and auxiliary State Institutions and/or the state auxiliary body (KY).

In Law Number 14 of 2008 Concerning Public Information Disclosure, it is explained that the Information Commission is an independent institution whose function is to implement this Law and its implementing regulations, establish standard technical

guidelines for Public Information services and resolve Public Information Disputes through Mediation and/or Non-litigation Adjudication. Article 4 clearly explains the position of the Information Commission, namely that it is an independent institution. Which means that the Information Commission is an independent or ad hoc institution, which means that the Information Commission can be disbanded at any time if the Information Commission is no longer needed.

d. Information Dispute Resolution

a. Definition of Dispute

According to the Big Indonesian Dictionary, a dispute means something that causes differences of opinion, quarrels, disputes that begin with a verbal argument followed by a power struggle. Whereas in English the terms Dispute (dispute) and conflict (conflict) some scholars argue that the two words conceptually have no difference, both are concepts that both describe situations and conditions where people are experiencing disputes that are factual or the difference lies in their perceptions.

Disputes can be caused by many factors including differences in interests or disputes between one party and another. According to Article 1 paragraph 3 of the KIP Law, public information disputes are disputes that occur between public bodies and applicants for public information and/or users of public information relating to the right to obtain and/or use public information based on laws and regulations. Public information disputes apply if the public information applicant has not received an answer and/or response that is in accordance with the public information requester's expectations from a public agency. The intended dispute can be interpreted as a conflict situation between the information requester and the public body as the respondent.

In general, conflicts that occur in society can be resolved in 2 (two) ways, namely through litigation and non-litigation. Settlement through litigation, namely conflict resolution involving courts and law enforcement officials through a certain mechanism known as the procedural law mechanism. Meanwhile, non-litigation conflict resolution, namely non-litigation conflict resolution, namely conflict resolution outside the courts or also known as alternative dispute resolution. The two forms of conflict resolution basically use the law as the benchmark mechanism. Therefore, the law has a very crucial function in conflict resolution, both litigation and non-litigation.

b. Information Dispute Resolution Procedure

Procedures for resolving information disputes are needed to provide legal certainty regarding the fulfillment of a person's right to information by a public body as the party that controls information relating to the administration of the state and the public interest. As a quasi-judicial institution, information dispute resolution is different from the dispute resolution process in court, although as a follow-up to legal action on information disputes it still ends up in court. This information dispute resolution procedure is established by applying the general principles of guaranteeing access to information, namely fast, timely, low cost, and simple methods. The provisions of article 28 letter f of the 1945 Constitution also guarantee that everyone has the right to seek, obtain, possess, store, process and convey information using all types of available channels. In order to exercise their rights, every person has the right to respect the human rights of others.

Information commission regulation No. 2 of 2010 concerning information dispute resolution procedures has explained information dispute resolution procedures and then the information commission regulation No. 1 of 2013 concerning information dispute resolution procedures was reborn to improve the weaknesses of information commission regulations number 2 of 2010 which is explained in detail in the information commission regulation No.1 of 2013 concerning information dispute resolution procedures. And here is the procedure for filing an information dispute.

The settlement of public information disputes between information users and public bodies has been regulated in Law Number 14 of 2008 concerning Public Information Disclosure (hereinafter referred to as the KIP Law). Next, there are technical arrangements contained in Information Commission Regulation Number 1 of 2013 concerning Public Information Dispute Resolution Procedures (hereinafter referred to as Perki PPSIP). Submission of a public information dispute is carried out by the information applicant after the Information Management and Documentation Officer (hereinafter referred to as the PPID) and/or PPID superiors do not fulfill the public information applicant's request for the fulfillment of the right to public information. Submission of public information dispute resolution can be made by each applicant to the Information Commission according to their level.

The public information dispute resolution process begins when the public information applicant submits an information dispute resolution request to the Information Commission. After the documents and other evidence from the applicant are complete, the Registrar shall

determine the public information dispute register number. Furthermore, the Board of Commissioners and Mediator who handled the case and the Substitute Registrar were determined. Then, the Board of Commissioners carried out the trial according to its stages. The trial process begins with the stages of initial examination, mediation, and if necessary continues with evidence, local examination, submission of the parties' conclusions and the decision of the Board of Commissioners (Information Commission Regulation of the Republic of Indonesia Number 1 of 2013 concerning Public Information Dispute Settlement Procedures).

Information dispute resolution at the Information Commission is carried out in 2 (two) ways, namely: mediation and non-litigation adjudication. Article 1 number 8 Perki 2/2010 states, "Mediation is the settlement of Public Information Disputes between the parties through the assistance of an Information Commission mediator". Then Article 3 paragraph (3) generally states that mediation is only carried out for one or several reasons as referred to in Article 35 paragraph (1) letter b-g of the Public Information Commission Law, namely:

- a. Information is not published proactively;
- b. No response to requests;
- b. The response does not match the request;
- c. Fees are high and unreasonable
- d. The application is not processed within the specified time. The points above do not cover cases where the application is rejected on an exceptional basis.

Mediation is carried out in accordance with generally accepted mediation principles, which are voluntary, closed unless the parties wish otherwise. Mediation is the settlement of public information disputes between parties through the assistance of information commission mediators. Mediation is carried out no later than 14 working days after the first mediation is carried out. This mediation will result in two possibilities, namely:

- a. The agreement of the parties as outlined in the Settlement Agreement is then confirmed by the Information Commission in the Mediation Decision;
- b. The mediation failed, which was caused by: (1) one of the parties or the parties declared in writing that the mediation process had failed; (2) one of the parties or parties withdraws from the negotiations; or
- c. The mediation agreement has not been reached within 14 working days.

Then according to article 1 number 7 of the Information Commission Law it is explained that Adjudication is a process of resolving public information disputes between parties which is decided by the information commission. Then in Article 3 paragraph 4 it is explained that the resolution of information disputes through non-litigation adjudication can only be pursued on the grounds that:

- a. rejection of requests for information based on exception reasons as referred to in Article 17 of Law Number 14 of 2008 concerning Public Information Disclosure; or
- b. The public information requester has attempted to resolve the dispute through mediation but the mediation process failed or one/the parties withdrew from the mediation process.

In other words, disputes regarding objections based on exceptions are immediately processed in non-litigation adjudication procedures. Non-litigation adjudication must be completed no later than 40 working days after the first adjudication and carried out according to principles. Information disputes in court are regulated in Article 62 paragraph (1) of Perki 2/2010 which states that the Information Commission's non-litigation adjudication decisions can be submitted to the court as referred to in Article 47 of the Public Information Commission Law. Then Article 48 paragraph (1) of the Law on the Public Information Commission provides reasons for carrying out a lawsuit in court, namely because one or the parties to the dispute stated in writing that they did not accept the adjudication decision from the Information Commission. Submission of a lawsuit is made no later than 14 working days after receiving the decision of the Information Commission.

Submission of information disputes to court is carried out no later than 14 working days after receipt of the Information Commission's decision. Article 47 of the Law on the Public Information Commission divides the court's relative powers in resolving information disputes into two, namely:

1. State Administrative Court (PTUN) if the person being sued is a State Public Agency.
2. District Court (PN) if the person being sued is a Public Agency other than a State Public Agency.
3. The court examines the decision of the Information Commission, case files, requests for lawsuits and answers to written complaints from the parties.
4. Within a maximum period of 60 working days after the panel of judges is established, the court must have rendered a decision on the information dispute, which contains a

decision as referred to in Article 49 of the Public Information Commission Law, namely a decision by the state administrative court or district court in the settlement of information disputes. public concerning granting or refusing access to all or part of the requested information containing one of the orders to cancel the decision of the Information Commission and/or order the Public Agency:

- a. Provide part or all of the information requested by the Public Information Applicant;
- or
- b. Refuse to provide part or all of the information requested by the public information applicant.
- c. Strengthen the decision of the Information Commission and/or order the Public Agency;
- d. Provide part or all of the information requested by the Public Information Applicant;
- e. Refuse to provide part or all of the information requested by the Public Information Applicant.

6. CONCLUSIONS

1. The Information Commission is an independent, ad-hoc institution acting as an institution designated to handle information disputes that exist in the community between litigants and public bodies regarding exempted information and Procedures for Payment of Compensation by State Public Bodies. The birth of the Public Information Disclosure Act is a nation's achievement in the framework of realizing national democracy, where one of the characteristics of democratic life is openness.
2. The decision making of the Information Commission is based on relevant records or materials owned by the relevant Public Agency.
3. Decisions made by the information commission are in the form of mediation and adjudication. Mediation is a very effective and fair form of information dispute resolution. This is because mediation is deliberation between disputing parties so that if mediation produces results, the results are win-win solutions, so that the parties are satisfied with the results. Then non-litigation adjudication is a form of information dispute resolution which is quite time-consuming, laborious, and costly, so the Information Commission should maximize the resolution of information disputes through a mediation process, although it cannot be denied that the process of

disseminating information disclosure laws is more effective during adjudication due to the nature and open implementation.

7. RECOMMENDATION

1. It is hoped that the Central Information Commission in resolving issues of information disputes must continue to maintain and supervise the implementation process in a credible and transparent manner and not take sides with certain agencies.
2. It is hoped that the applicant or the respondent in the case of an information dispute will continue to make the application in accordance with the procedures determined by the Information Commission which has been appointed by the state high institution.
3. It is hoped that all involved in an information dispute will respect the decisions that have been made by the Information Commission. And if you want to file an objection to the results of the Information Commission's decision, you must strengthen the reasons and evidence to avoid rejection of the objection submitted.

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